

The Honorable David G. Estudillo

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STUDENT DOE #1,

Plaintiff,

v.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security; the
DEPARTMENT OF HOMELAND
SECURITY; and TODD LYONS, in his official
capacity as Acting Director of U.S. Immigration
and Customs Enforcement,

Defendants.

Case No. 2:25-cv-00663-DGE

**STIPULATED MOTION AND
[PROPOSED] ORDER
CONSOLIDATING CASES FOR ALL
PURPOSES AND SETTING CASE
DEADLINES**

Consolidated With:
Case No. 2:25-cv-00680-DGE
Case No. 2:25-cv-00708-DGE

Noted for Consideration:
April 25, 2025

Pursuant to Federal Rule of Civil Procedure 42 and Local Civil Rule 42, the parties, by and through their undersigned counsel, submit this stipulated motion to consolidate the above-captioned action (“*Student Doe 1*”) with *Student Doe #2 and Student Doe #3 v. Kristi Noem, et al.*, Case No. 2:25-cv-00680-DGE (“*Student Does 2 and 3*”) and with *Student Doe #4 v. Kristi Noem, et al.*, Case No. 2:25-cv-00708-DGE (“*Student Doe 4*”), for all purposes. Pursuant to Local Civil Rule 42(a), this motion is filed in *Student Doe 1*, as the earliest-filed case, and notice of this motion will be filed concurrently in *Student Does 2 and 3* and *Student Doe 4*.

BASIS FOR CONSOLIDATION

“Federal Rule of Civil Procedure 42(a) provides for consolidation of separately filed cases when the cases involve a common question of law or fact. The court has broad discretion to consolidate cases.” *Assurance Co. of Am. v. PC Mktg., Inc.*, No. C13-6008 BHS, 2014 WL 4384053, at *1 (W.D. Wash. Sept. 4, 2014) (citing Fed. R. Civ. P. 42(a) and *In re Adams Apple, Inc.*, 829 F.2d 1484, 1487 (9th Cir. 1987)). “In deciding whether to consolidate, the court considers a number of factors, including judicial economy and potential prejudice to a party opposing the consolidation.” *Id.* (citing *First Mercury Ins. Co. v. SQI, Inc.*, 2014 WL 496685, at *3 (W.D. Wash. Feb. 6, 2014)).

Student Doe 1, Student Does 2 and 3, and *Student Doe 4* are all related to the same underlying factual issues regarding SEVIS record terminations for students with F-1 visas. Both cases involve substantially overlapping questions of fact and law relating to Plaintiffs’ allegations of violation of the Administrative Procedure Act and lack of procedural due process, and are against the same Defendants. Consolidation is appropriate because it will promote efficiency and judicial economy while avoiding undue prejudice, confusion, or delay.

Accordingly, the parties stipulate and agree that *Student Doe 1, Student Does 2 and 3*, and *Student Doe 4* should be consolidated for all proceedings.

SCHEDULING ISSUES

As required by Local Rule 42(b), the parties have met and conferred regarding a case schedule for the consolidated action. The parties stipulate and agree that the existing case schedules for *Student Doe 1, Student Does 2 and 3*, and *Student Doe 4* should be vacated and replaced with the following consolidated schedule:

<u>Deadline</u>	<u>Proposed Date</u>
Plaintiff Doe #4's Motion for Preliminary Injunction	April 29, 2025
Defendants' Consolidated Response to All Preliminary Injunction Motions	May 2, 2025 at 12:00 p.m.
Plaintiffs' Consolidated Reply	May 5, 2025 at 2:00 p.m.
Consolidated Preliminary Injunction Hearing	May 7, 2025 at 1:30 p.m.

CONCLUSION

For the foregoing reasons, the parties respectfully request that the Court grant this stipulated motion and: (1) consolidate *Student Doe 1*, *Student Does 2 and 3*, and *Student Doe 4*, with *Student Doe 1* as the lead case (as earlier filed); and (2) vacate the case schedules in *Student Doe 1*, *Student Does 2 and 3*, and *Student Doe 4* and adopt the proposed schedule set forth above.

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1 DATED this 25th day of April, 2025.

2 Respectfully submitted,

3 TEAL LUTHY MILLER
Acting United States Attorney

DOBRIN & HAN, PC

4 s/ Whitney Passmore

s/ Vicky Dobrin

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Attorney for Plaintiff

10 *Attorneys for Defendants*

11 I certify that this memorandum contains 504
12 words, in compliance with the Local Civil Rules.

[PROPOSED] ORDER

The Motion is hereby GRANTED. It is so ordered.

DATED this _____ day of _____, 2025.

DAVID G. ESTUDILLO
United States District Judge